

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD CHIROPRACTIC EXAMINERS

PREAMBLE

1. Sections Affected
R4-7-1201
- Rulemaking Action
New Section
2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. § 32-904(B)(2)
Implementing statute: A.R.S. § 32-907
3. A list of all previous notices appearing in the Register addressing the adopted rule:
Notice of Rulemaking Docket Opening: 4 A.A.R. 504, February 12, 1999.
4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Patrice A. Pritzl, Executive Director
Address: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona 85015-3210
Telephone: (602) 255-1444
Fax: (602) 255-4289
5. An explanation of the rule, including the Agency's reasons for initiating the rule:
The proposed rule will define the fees associated with services which are requested from the agency.
6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:
None.
7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
8. The preliminary summary of the economic, small business, and consumer impact:
The economic impact is minor. The agency already provides and charges a fee for the identified services.
9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement.
Name: Patrice A. Pritzl, Executive Director
Address: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona 85015-3210

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Telephone: (602) 255-1444

Fax: (602) 255-4289

10. The time, place and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comment will be accepted at the Board office, 5060 N. 19th Avenue, #416, Phoenix, Arizona, 85015 on a business day between the hours of 8 a.m. and 5 p.m. until 5 p.m. on March 1, 1999. An oral proceeding is not scheduled but may be requested.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.

12. Incorporations by reference and their location in the rules:
Not applicable

13. The full text of the rules as follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

ARTICLE 12. FEES

Section

R4-7-1201 Additional Fees

ARTICLE 12. FEES

A. The Board may collect fees for services as follows:

- 1. \$40 for directories, labels or lists of licensees, applicants or other regulated parties.**

- 2. \$40 for annual subscriptions for meeting minutes, agendas, or other agency documents published and provided on an ongoing basis during the calendar or fiscal year.**
3. \$10 for a jurisprudence booklet.
4. \$5 for a duplicate renewal receipt.
5. \$20 for a duplicate ornamental license.
6. \$20 for a duplicate ornamental certificate.
7. \$2 for a hard copy license/credential verification per each license verification requested.

B. All fees shall be non-refundable.

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TITLE 6. ECONOMIC SECURITY

CHAPTER 1. DEPARTMENT OF ECONOMIC SECURITY

PREAMBLE

1. Sections Affected

R6-1-101
R6-1-102
R6-1-103
R6-1-104
R6-1-105
R6-1-106
R6-1-107
R6-1-201
R6-1-201
R6-1-202
R6-1-202
R6-1-203
R6-1-203
R6-1-501

Rulemaking Action

Amend
Amend
Amend
Amend
Amend
Repeal
Repeal
New Section
Renumber
Amend
Renumber
Amend
Renumber
Amend

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. §§ 41-1954(A)(3) and 46-134(A)(12)

Implementing statute: A.R.S. §§ 5-525, 39-121.01(D)(1), 41-1021(A) and (B), 41-1029, 41-1023(F), 41-1033(A), and 42-1122(E)

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 4 A.A.R. 3818, November 13, 1998.

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4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Sarah Youngblood
Address: Department of Economic Security
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: vosy5619@de.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The subject matter in Article 1 deals with public participation in rulemaking, and governs the process by which agency rules are developed and become effective. The proposed rule reflects statutory changes made to the Administrative Procedure Act since the rule was last amended in 1993.

Article 2 authorizes the Department to set off sums owed to it out of lottery winnings and state tax refunds, and describes the rights of a person whose debt was set off to file for, and receive, a review of the setoff. The proposed rule reflects statutory changes, and current Department policy.

Article 5 states the Department's policy on nondiscrimination, in compliance with the Civil Rights Act of 1964.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None.

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

None.

8. The preliminary summary of the economic, small business, and consumer impact:

Due to the nature of these rules, the Department foresees no economic impact on small businesses or consumers as a result of these rules. The Department incurs minimal expenses in providing copies of rulemaking documents to persons who request them. The Department receives approximately 2 requests per year for copies of documents; copying costs generally do not exceed \$20 per request. The rules in Article 2 have a minimal economic impact on those consumers who owe the Department money. However, the costs are substantially outweighed by the benefits. In FY 1998, the Department intercepted 4,674 state tax refunds for a total amount of \$1,473,261.00 and 11 lottery winnings for a total amount of \$5,562. A debtor who wishes to challenge the debt setoff can do so without the expense of hiring counsel.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:

Name: Sarah Youngblood
Address: Department of Economic Security
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: vosy5619@de.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department does not plan to conduct hearings on these amendments unless a written request for an oral proceeding is submitted to the person named in paragraph 4 within 30 days after the date of this publication. The Department will accept written comments for at least 30 days after the date of this publication to the person named in paragraph 4.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

12. Incorporations by reference and their location in the rules:

R6-1-202 and R6-1-203 A.R.S. § 5-525
R6-1-203 A.R.S. § 12-904
R6-1-101 A.R.S. § 41-1021
R6-1-105 A.R.S. § 41-1023(C)

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R6-1-101	A.R.S. § 41-1029
R6-1-103	A.R.S. § 41-1033
R6-1-105	A.R.S. § 41-1961
R6-1-202 and R6-1-203	A.R.S. § 42-1122
R6-1-501	42 U.S.C. §§ 2000a, 2000d, 2000d-1, 2000d-2, 2000d-7

13. The full text of the rules follows:

TITLE 6. ECONOMIC SECURITY

CHAPTER 1. DEPARTMENT OF ECONOMIC SECURITY

**ARTICLE 1. PUBLIC PARTICIPATION IN
RULEMAKING**

Section

R6-1-101.	Rulemaking Docket and Record
R6-1-102.	Manner, Place, Time and Form of Submissions
R6-1-103.	Petition for <u>Rulemaking Adoption of a Rule</u>
R6-1-104.	Proposed Rulemaking: Notices; Copy Fees; Fee Waiver
R6-1-105.	Oral Proceedings; Request for; Nature of
R6-1-106.	<u>Petition for Delayed Effective Date Repealed</u>
R6-1-107.	<u>Written Criticisms of Existing Rules Repealed</u>

ARTICLE 2. DEBT SETOFF

R6-1-201.	<u>Definitions</u>
R6-1-202.	R6-1-201 Request for Review
R6-1-203.	R6-1-202 Review of Debt Setoff

ARTICLE 5. CIVIL RIGHTS

R6-1-501.	Civil Rights
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**ARTICLE 1. PUBLIC PARTICIPATION IN
RULEMAKING**

R6-1-101. Rulemaking Docket and Record

- A. The Department of Economic Security ("the Department") shall maintain the official public rulemaking docket and agency rulemaking record required by A.R.S. §§ 41-1021 and 41-1029 ~~in the office of the Department's Associate Director, or that person's successor, in the Department's central headquarters at 1717 W. Jefferson, in Phoenix. Any person may review the docket and record Monday through Friday from 8 a.m. to 5 p.m., except on state holidays.~~
- B. A Any person who reviews a rulemaking docket or record shall sign a log which shall contain the following information:
1. The person's name, current address, and daytime telephone number;
 2. The name of any partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any nature, or another agency that the person is representing as a registered lobbyist or otherwise;
 3. The docket or record which the person is reviewing;
 4. Whether the person is requesting the records for a commercial purpose;
 5. The date of review; ~~and~~
 6. The person's signature; ~~and~~
 7. A description of any copies the person obtained.

R6-1-102. Manner, Place, Time and Form of Submissions

- A. A person shall file in original form all All petitions, requests, submissions, criticisms, or other materials submitted to the Department ~~about with regard to rulemaking, shall be filed in original form. A person may file copies~~ Copies of referenced material and material incorporated by reference, ~~may be filed~~ pursuant to R6-1-103(B)(5).
- B. All writings shall be legibly handwritten or typed on 8 1/2 - by 11 - inch white paper.
- C. With the exception of writings submitted during an oral proceeding pursuant to R6-1-105(D), all comments on rulemaking packages shall be sent to the person named in the published rulemaking notice, all documents shall be filed directly with the Division of Administrative Services.
- ~~D. Any document shall be deemed received when the Division of Administrative Services affixes a "received" date stamp on it.~~

R6-1-103. Petition for Rulemaking Adoption of a Rule

- A. Pursuant to A.R.S. §§ 41-1032(2) and 41-1033, any Any person may ask the Department to make adopt a new rule, or to amend or repeal an existing rule, to review agency practice and policy, or to delay the effective date of a rule pursuant to A.R.S. § 41-1003 by filing a written petition with the Department's Director.
- B. The petition shall contain:
1. The petitioner's name, current address, and daytime telephone number;
 2. The name of any partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any nature, or another agency that the petitioner is representing as a registered lobbyist or otherwise;
 3. The specific language of the rule which the person wishes the Department to make adopt, amend, or repeal, review, or delay the effective date;
 4. The reasons for the request including the reasons why any existing rule, practice, or policy is inadequate, unreasonable, unduly burdensome, or otherwise improper;
 5. If petitioning for a delayed effective date, a statement describing the effect the rule may have on the petitioner, the reason why delaying the effective date of a rule to a specified date will lessen or eliminate that effect, and the reasons why the public will not be harmed by the later effective date;
 - ~~6.5.~~ A copy of any material which is referenced or otherwise incorporated in the petition; and
 - ~~7.6.~~ The signature of the petitioner.
- C. Upon receipt of a petition, the Director's Office shall stamp the petition to indicate the date of receipt.

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- D. No later than 60 days after receipt of a petition, the Department shall send the petitioner written notice of the action taken on the petition.

R6-1-104. Proposed Rulemaking: Notices; Copy Fees; Fee Waiver

- A. A person who wishes to obtain a notice of the establishment of a rulemaking docket pursuant to ~~A.R.S. § 41-1021(C)~~, shall or a notice of proposed rulemaking pursuant to ~~A.R.S. § 41-1022(C)~~ shall file a written request for such notice with the Department. The request shall contain:
1. The name and address of the requestor;
 2. A statement describing the ~~type of nature of the~~ notice being requested, directed either to proposed rulemaking in general or to specific rules or subject matter; and
 3. The signature of the requestor.
- B. The ~~Department Office of the Department's Associate Director, or that person's successor,~~ shall maintain a mailing list of all docket requests and requests for notice of proposed rulemaking. Requestors shall renew the request for notice by January 30 of each even-numbered Year or The Department shall purge the request. It shall be the responsibility of the requestor to keep current any address and information filed with the Department Division.
- C. The Department shall charge a fee of 25¢ per page to cover the actual costs of providing the requested information.
- D. The Department may waive the fee described in subsection (C) when:
1. The requestor demonstrates that payment of the fee would cause the requestor financial hardship; or
 2. The Department is voluntarily providing information to a person ~~who or an entity which has not requested it,~~ for the purpose of receiving comment from that person or entity.

R6-1-105. Oral Proceedings; Request for; Nature of

- A. Oral proceedings scheduled pursuant to ~~A.R.S. § 41-1023(C)~~ 41-1023(A) shall be held in ~~at least 1~~ each of the districts established pursuant to A.R.S. § 41-1961.
- B. A written request for oral proceedings filed with the Department pursuant to ~~A.R.S. § 41-1023(C)~~ 41-1023(B) shall contain:
1. The name, current address, and daytime telephone number of each requestor;
 2. The name of any partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any nature, or another agency that the requestor is representing as a registered lobbyist or otherwise;
 3. A statement identifying the rule for which the oral proceeding is requested; and
 4. The signature of each requestor.
- C. The petition may contain a proposed location for the oral ~~sueh~~ proceeding. If such a location is included, the petition shall also explain how the proposed location will afford interested members of the public a reasonable opportunity to participate.
- D. ~~A presiding officer shall conduct oral~~ Oral proceedings shall be conducted by a presiding officer in an informal manner and without the procedural requirements of a formal adherence to the procedures of a trial type or evidentiary hearing, as described in this subsection.
1. A person may make an oral presentation without being placed under oath or affirmation.
 2. Any person ~~who may~~ makes an oral presentation shall fill out a speaker's registration card prior to speaking.

3. The presiding officer shall conduct the proceeding in a way which avoids undue repetition and assures a reliable record on any proposed rulemaking.
4. Any person may file a written submission at an oral proceeding, in addition to or in lieu of oral presentations.
5. Prior to taking oral presentations, the presiding officer shall summarize the contents of the rule under consideration and the economic impact and small business statements filed with the rule.
6. Prior to the close of the record of the oral proceeding, the presiding officer shall summarize all subsequent rulemaking steps, procedures, and time-frames.

R6-1-106. Petition for Delayed Effective Date Repealed

- ~~A. A person may petition the Department pursuant to A.R.S. § 41-1032(2) to delay the effective date of a rule.~~
- ~~B. A petition for delayed effective date shall contain:~~
- ~~1. The petitioner's name, current address, and daytime telephone number;~~
 - ~~2. The name of any partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any nature, or another agency that the petitioner is representing as a registered lobbyist or otherwise;~~
 - ~~3. A statement describing the effect the rule may have on the petitioner, and the reason why delaying the effective date of a rule to a specified date will lessen or eliminate that effect;~~
 - ~~4. The reasons why the public will not be harmed by the later effective date; and~~
 - ~~5. The signature of the petitioner.~~
- ~~C. The Department shall mail the petitioner written notice of the Department's determination regarding the petition.~~

R6-1-107. Written Criticisms of Existing Rules Repealed

~~The Department shall retain written criticisms of existing rules which have been filed with the Department and shall consider such writings when conducting the five year review required by A.R.S. § 41-1054.~~

ARTICLE 2. DEBT SETOFF

R6-1-201. Definitions

In this Article:

1. "Debt" means an amount over \$50 that a person owes to the Department of Economic Security.
2. "Debtor" means a person who owes an amount over \$50 to the Department of Economic Security.
3. "Department" means the Arizona Department of Economic Security.
4. "Director" means the person who is currently the director of the Department of Economic Security.
5. "Notice" or "notice of debt setoff" means the written notice that the Department mails to the debtor, notifying the debtor of the Department's intention to set off the debt, and of the debtor's right to appeal the setoff.
6. "Setoff" means the program by which state lottery prize payments or state tax refunds may be used to satisfy debts that a person owes the Department.

R6-1-202. R6-1-201 Request for Review

- A. A person indebted to the Department, of Economic Security (~~"the Department"~~), ~~whose who has had all or part of the debt was set off in whole or in part~~ pursuant to A.R.S. § 5-525(C) or ~~42-1122 42-133(E)~~ (~~"the debtor"~~), may request a review of the setoff.
- B. The request for review shall:

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1. Be in writing;
 2. Be filed with the Department office which set off the debt, at the address indicated on the notice of debt setoff ("the notice"), no later than 30 days after the mailing date of the notice;
 3. List any prior judicial or administrative proceedings regarding the debt;
 4. Set forth all reasons why the setoff is inaccurate or improper;
 5. Be signed by the debtor or the debtor's authorized representative; and
 6. Have an attached copy of the notice of debt setoff.
- C. As used in this section, the date of the notice of debt setoff shall be the following dates, as applicable to the debtor:
1. The date that the State Lottery Office gives the debtor a written statement of winnings indicating the amount of the setoff; or
 2. The date of the written notice from generated by the Department, advising the debtor of the setoff.
- D. Notwithstanding subsection (B), the Department may consider a timely request for review which does not include all the documentation listed in subsection (B) if:
1. The debtor has good cause for failing to provide the information, and
 2. The lack of information does not substantially prejudice the Department's ability to evaluate the request.

R6-1-203, R6-1-202 Review of Debt Setoff

- A. The Director of the Department of Economic Security shall appoint representatives who shall conduct the review in accordance with A.R.S. § 5-525 or 42-1122 42-133, as applicable, and in a manner which will observe the due process substantial rights of the debtor.
- B. The Department shall limit the scope of its review to the identity of the debtor and the amount of the debt setoff, ~~when the validity of the debt was established by judicial review in a court of competent jurisdiction, agency hearing, or final administrative decision made in accordance with the law.~~ If it is found that the debt was not established in accordance with 1 of the foregoing methods listed in A.R.S. §§ 5-525(E) or 42-1122(E), this subsection, the setoff action shall be stayed and remanded to the appropriate Department authority for resolution. Unless otherwise prohibited by law, the Department may correct clerical errors that have occurred in the administration of the debt setoff.
- C. In reviewing the debt setoff, the Department shall consider all relevant evidence, including, ~~without limitation,~~ evidence submitted by the debtor and the documents and records in the Department's files.
- D. The Department shall dispose of a request for review by:
1. Dismissal, if the debtor fails to state with specificity in the request for review why the debt does not exist or why the amount of debt is incorrect;
 2. Withdrawal, if the debtor withdraws the request for review in writing at any time before the Department issues a decision; or
 3. Decision.
- E. A written decision ~~Every decision shall be in writing and shall be mailed to the last known address of the debtor or the debtor's authorized representative; if the debtor's challenge to the setoff is denied.~~
- F. The Department's decision is final unless the debtor files a petition for judicial review with the Superior Court within 35 days of the date the decision is mailed to the debtor as provided in A.R.S. § 12-904. A debtor who files a petition for

review shall mail a copy to the Department office which issued the decision.

ARTICLE 5. CIVIL RIGHTS.

R6-1-501. Civil Rights

- A. Statement of Compliance ~~compliance~~: Pursuant to the provisions of the Civil Rights Act of 1964, no person in the state of Arizona will be excluded from participation in, denied the benefits of, or be subjected to discrimination under any Department program assistance payments programs on the basis of race, color, religion, gender, sex, or national origin, or disability. The Department shall administer the such programs in accordance with the laws, regulations, policies, and practices enumerated in the paragraphs below.
- B. Definition of compliance: The Department shall follow policies and practices including, but not limited to, those described below.
1. The Department will not ~~No individual will~~, on the basis of race, color, religion, gender, sex, or national origin, or disability, ~~deny be denied~~ any benefit provided under any department an assistance payment program to any individual, or be provide provided a benefit which is different, or in a different manner, from that provided to others under the same program, unless necessary to provide a requested accommodation to a qualified individual with a disability.
 2. No individual will, on the basis of race, color, religion, gender, sex, or national origin, or disability, be subjected to segregation or separate treatment in any manner related to receipt of any benefit under any Department an assistance payments program, nor will an individual be restricted in any way from any advantage or privilege enjoyed by others receiving benefits under the same program. This includes any distinction with respect to spaces provided for service, waiting rooms, and restrooms. Neither will separate times be set aside on the basis of race, color, religion, gender, sex, or national origin, or disability for the provision of assistance.
 3. Employees of the Department will not be assigned case-loads or clients ~~clientele~~ on the basis of race, color, religion, gender, sex, or national origin, or disability of the persons being assisted.
 4. Criteria or methods of administration shall not subject individuals to discrimination or defeat or substantially impair the objectives of any Department an assistance payments program on the basis of the individual's race, color, religion, gender, sex, or national origin, or disability.
 5. The Department shall conduct all its assistance payments programs in accordance with the requirements of existing laws and regulations, which shall extend not only to those activities which are conducted directly by the Department but also to all related activities which are conducted by other agencies, institutions, organizations, political subdivisions, and vendors.
 6. The Department shall maintain records and submit reports as required by federal authorities to assure compliance with regulations. During normal business hours, of the Department, will permit ~~access will be permitted~~ to its facilities, records, and other sources of information as may be pertinent to assure ~~as certain~~ compliance with regulations.
 7. The Department will make available to applicants, recipients, and public officials that information required

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by federal authorities to inform appraise such persons of the protections against discrimination assured them by the Civil Rights Act of 1964.

8. Federal law prohibits payment of certain benefits to persons who are not United States citizens.

C. Methods of administration

1. The Department shall inform and instruct its staff of obligations under the Civil Rights Act of 1964, existing regulations, and the Statement of Compliance by:

- a. Making copies of all pertinent documents available to the entire staff.
- b. Conducting, as a regular part of the In-service Training Program:
 - i. Meetings to explain to all staff personnel the intent and meaning of pertinent such documents and to instruct all staff personnel them in their obligation to carry out the policies contained in the documents therein.
 - ii. Orientation of new staff personnel regarding their responsibilities to comply with the Civil Rights Act of 1964.
 - iii. Ongoing Periodic reminders of Civil Rights Act requirements in appropriate staff meetings and memoranda or other official correspondence.
 - iv. Diversity Cultural awareness and sensitivity training to all staff personnel concerning ethnic differences among various culturally identified groups residing in Arizona whose members may participate in, or seek benefits under Department programs, who comprise the Department's clientele.
 - v. Ongoing Constant review of practices and policies to assure that no individual is discriminated against because of race, color, religion, gender, sex, or national origin, or disability.

2. The Department shall will inform and instruct other appropriate agencies, institutions, organizations, political subdivisions, and vendors of their obligations to comply with the Civil Rights Act of 1964, existing regulations, and the Statement of Compliance filed by the Department as a condition to their initial or continued financial participation in any Department assistance payments program. This will be accomplished by:

- a. Providing a copy Making clear the requirements of the Civil Rights Act of 1964 to appropriate agencies, institutions, organizations, political subdivisions, and vendors, and implementing regulations and policies to ensure that the agencies, institutions, organizations, political subdivisions, and vendors fulfill the these requirements of the Civil Rights Act of 1964.
- b. Requiring Determining that the agency, institution, organization, political subdivision, or vendor to execute or furnish proof of execution of has executed an assurance in the form prescribed by federal authorities which is currently effective and applicable to the program under which the activity is conducted. This includes the use of memoranda which verifies specific obligations and undertakings or certification of compliance on each voucher presented to the Department for payment. The Department will conduct regular Regular unannounced inspections on-the-spot checks will be made by the Department's staff to assure compli-

ance by any other agency, institution, organization, political subdivision, or vendor participating in any Department an-assistance payments program.

- c. The Department will inform its clients clientele and other interested persons that financial assistance and other program benefits are provided on a non-discriminatory basis and of their right to file a complaint with the Department, the federal authorities, or both, if they believe that discrimination on the basis of race, color, religion, gender, sex, or national origin, or disability is practiced. The Department will furnish Informing clientele will be accomplished by furnishing a written notice and the Statement of Compliance to all clients clientele and other interested persons.
- d. All complaints alleging discrimination because of race, color, religion, gender, sex, or national origin, or disability shall be filed in writing, shall describe the type of discrimination alleged, indicate when and where the such alleged discrimination occurred, and describe any pertinent facts and circumstances relating to the alleged discrimination. The complaints shall be signed by the complainant. All complaints shall be addressed to the Administrator of the Office of Equal Opportunity Director of the Department of Economic Security, who will initiate a thorough investigation through established procedure. After the complaint has been investigated, the Administrator Director shall determine whether or not any discriminatory practice has occurred. If appropriate, the Administrator Director will recommend to take such action as the Director any corrective action deemed deems necessary to correct past practices and prevent future recurrence of such discrimination. The Department shall cease making referrals or vendor payments to any entity which does not fully comply with the Civil Rights Act of 1964. The complainant shall be advised in writing of the Department's determination regarding the complaint.
 - i. The Department will maintain a file of approved facilities, agencies, resources, and vendors who have executed Statements of Compliance with the Civil Rights Act of 1964. Verified complaints will be referred by the Department for corrective action. If, after a reasonable time, such corrective action has not been taken, the Department will advise and remove the facility, agency, or vendor from its approved list of resources.
 - ii. The Department will maintain adequate records to show action taken as a result of each complaint and will make this information available to appropriate federal authorities.
 - iii. Department employees who receive anonymous verbal complaints are required to report them to their supervisor. The supervisor will decide upon further action to be taken in such cases.
- e. At least once each year, or more frequently for those cases in which discriminatory practices are alleged or suspected, a representative of the Department will visit institutions, organizations, political subdivisions, or vendors who participate in a program to verify that their practices conform

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to the Civil Rights Act, and the regulations issued pursuant to the Act thereto and as reflected in the Statement of Compliance. The Department will ~~periodically~~ determine if ~~discriminatory practices are engaged in by its personnel~~ are engaged in discriminatory practices and will take corrective action as required to insure that actions are in compliance with the Civil Rights Act and regulations issued pursuant to the Act thereto, as reflected in the Statement of Compliance.

- f. Policies and procedures will provide effective verbal and written communication with non-English-speaking applicants and recipients. These policies and procedures will be made known to all Department employees. Supervisors will be required to insure that their staff complies with such policies and procedures.
- g. Department Assistance payments program information will be disseminated to the general public,

using appropriate and effective media to reach minority populations.

- h. Department advisory committees will include members of traditionally underrepresented ~~representatives of racial and ethnic~~ minority groups to the extent feasible.
- i. The Department shall provide data revealing the extent to which members of minority groups are beneficiaries of, or participants in, or both, federally funded Department assistance payments programs.